

JUDGE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	NO. CR 05-319 JCC
)	
Plaintiff,)	
)	
vs.)	ORDER EXTENDING TIME TO FILE
)	INDICTMENT
JOSE SANTOS JIRON-DIAZ,)	
)	
Defendant.)	
)	
_____)	

The Court, having review the stipulation of the parties, and the defendant's agreement to extend the time for an indictment, finds as fact those facts stipulated to by counsel in that document, and hereby makes the following findings of fact:

1. A failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of Title 18, U.S.C. § 3161(h)(8)(B). In particular, the Court notes defense counsel's difficulties relating to the retrieval and examination of records currently located in Los Angeles, CA.

2. An extension of time in which to indict may result in the possible resolution of the case without an indictment and without trial. Thus, the ends of justice will be served by ordering a continuance in this case, that a continuance is necessary to ensure effective trial preparation, and that these factors outweigh the best interests of the public in a more speedy trial, within the meaning of Title 18, U.S.C. § 3161(h)(8)(A).

1 IT IS HEREBY ORDERED that the time within which an indictment in this case
2 must be filed against the defendant shall be extended from September 30, 2005 to
3 October 30, 2005.

4 IT IS FURTHER ORDERED that the period of delay from September 30, 2005,
5 through October 30, 2005, is excludable time pursuant to the Speedy Trial Act, 18
6 U.S.C. § 3161, et seq.

7 Dated this 30th day of September, 2005.

8
9 
UNITED STATES DISTRICT JUDGE

10 Presented by,
11 s/Nancy D. Tenney
Attorney for the Defendant
12 Federal Public Defender's Office
1601 Fifth Avenue, Suite 700
13 Seattle, WA 98101
206/553-1100
206/553-0120
14 Nancy_Tenney@fd.org

15 s/Leonie Grant
16 Assistant United States Attorney
United States Attorney's Office
17 700 Stewart Street, Suite 5220
Seattle, WA 98101
18 206/553-7970
206/553-0755
19 Leonie.Grant@usdoj.gov